



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

MAR 6 2017

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**EPA WARNING LETTER**

Mr. Robert Silva  
Manager of Regulatory Compliance  
Spokane Terminal  
AmeriGas Propane Inc.  
411 North Havana Street  
Spokane, Washington 99202

Re: Risk Management Program Compliance Inspection  
AmeriGas Spokane Terminal  
EPA Facility ID# 1000 0021 8463

Dear Mr. Silva:

On July 11, 2016, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the AmeriGas Spokane Terminal (AmeriGas), located at 411 North Havana Street, Spokane, Washington. The purpose of the inspection was to evaluate compliance with Section 112(r) of the Clean Air Act also known as the Risk Management Program (RMP). The RMP inspection was conducted pursuant to the authorities under Section 112(r) and Section 114 of the Clean Air Act. Listed below are the areas of concern identified by EPA:

AmeriGas failed to correctly document the maximum intended inventory of the propane storage process as required by 40 C.F.R. § 68.65(c)(1)(iii). AmeriGas reported in their September 20, 2012, RMP a maximum intended inventory of 609,120 pounds of propane. This reported propane inventory covers both the North Havana Street facility and V-1 North Fancher Street facility. EPA understands that the V-1 North Fancher Street facility is mainly used for retail sales of propane directly to your customers and is approximately 0.75 miles due east from the North Havana Street facility. The Flammable Substances Used as Fuel or Held for Sale as Fuel at Retail Facilities, Exclusion Rule, 40 C.F.R. § 68.125, would apply to the V-1 North Fancher Street facility. Therefore, the reported propane inventory must be removed from the RMP that covers the North Havana Street propane distribution facility. In addition, the maximum storage of five 30,000-gallon tanker railcars that can be on the site at the North Havana Street facility must be included with the four 30,000-gallon propane tanks when calculating the maximum intended inventory.

Please provide the documentation to substantiate that the areas of concern listed above have been corrected. A copy of the documents must be sent to Javier Morales, RMP Coordinator, within 14 days of your receipt of this letter. The documents may be sent via e-mail, fax or mail.

Javier Morales, RMP Coordinator  
U.S. EPA Region 10  
1200 Sixth Avenue, Suite 900, OCE-101  
Seattle, Washington 98101  
Fax: (206) 553-4743

Please refer to the document *General Risk Management Program Guidance* for additional information pertaining to the areas of concern addressed above. This guidance document can be found on EPA's website at: <http://www.epa.gov/rmp/guidance-facilities-risk-management-programs-rmp>

We urge you to take the steps necessary to address these concerns and to ensure that all aspects of your operation are conducted in accordance with all applicable federal, state, and local requirements. If in the future, additional violations are identified and/or corrections to the identified concerns are not made, EPA may proceed with enforcement action. If you have any questions about the inspection or the Risk Management Program, please contact Javier Morales, RMP Coordinator, at (206) 553-1255 or [morales.javier@epa.gov](mailto:morales.javier@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelly McFadden", with a long horizontal flourish extending to the right.

Kelly McFadden, Manager  
Pesticides and Toxics Unit